

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Derrick Jerome Spencer,

Civil No. 18-cv-2639 (MJD/TNL)

Petitioner,

v.

ORDER

M. Rios, Warden,

Respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated April 23, 2019 (Doc. No. 21), and after an independent review of the files, records and proceedings herein and no objections to said Recommendation having been filed,

IT IS HEREBY ORDERED that:

1. Petitioner's Motion for Entry of Default Judgment (Doc. No. 7) is

DENIED;

2. Petitioner's Motion to Reconsider Motion for Default Judgment (Doc.

No. 11) is **DENIED;** and

3. The Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241, (Doc.

No. 1), is **DENIED** and **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: June 5, 2019

s/ Michael J. Davis

Michael J. Davis

United States District Court